

REMARKS

The office action of September 15, 2008, has been carefully reviewed and these remarks are responsive thereto. Claims 1, 3, 9, 18 and 49 have been amended. Claims 4 and 19-21 have been cancelled without prejudice or disclaimer. Claim 51 has been added. No new matter has been added. Claims 1-3, 5-18, 27, 29-43 and 46-51 are pending upon entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested.

Claim Objections

Claim 18 is objected to because of informalities. Applicants have amended claim 18 to be in a more preferred form, thus rendering this objection moot.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-21, 27, 29-43 and 46-50 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Herz *et al.* (U.S. Patent Pub. No. 2001/0014868, “Herz”) in view of Birdwell *et al.* (U.S. Patent No. 6,108,706, “Birdwell”). Applicants traverse this rejection.

Amended independent claim 1 recites, *inter alia*, receiving unsolicited information from a computer network via a unidirectional network, wherein the unsolicited information contains an identifier identifying further information on the computer network, requesting, via a first network different from the second network, the identified further information and receiving the further information via the unidirectional network in response to the requesting. Neither Herz nor Birdwell, either separately or in combination, teaches or suggests such features. At most, Herz describes the generation of coupons or advertisements that may be communicated to a shopper’s device. para. [0027]. However, Herz does not teach or suggest a unidirectional network much less two different networks, one being unidirectional. Birdwell, on the other hand, describes a broadcast network 30 and a bi-directional data network. Even so, neither reference teaches or suggests, either separately or in combination, receiving, through a unidirectional network, unsolicited information including an identifier identifying further information, requesting the further information via another network (i.e., other than the unidirectional network) and receiving the further information *via the unidirectional network in response to the requesting*. Even assuming, without conceding, that Birdwell describes receiving

an announcement over a broadcast network and a user having the ability to request information from another network other than the broadcast network, there is still no teaching or suggestion (in either Birdwell or Herz) of the requested information then being received over the broadcast network. Accordingly, claim 1 is allowable for at least these reasons.

Additionally, Applicants recognize that the Office Action is using a combination of Herz and Birdwell in rejecting the above identified claims. However, the Office Action is merely using the fact that Birdwell describes two networks to piece together the references according to the features of at least claim 1. Significantly, the Office Action does not provide any reason as to why one of ordinary skill in the art would have used the two networks Birdwell in the manner described in claim 1 without any teaching or suggestion in either Herz or Birdwell of such features or a need for such a combination.

Claims 9 and 49 recite features similar to those discussed above with respect to claim 1 and are thus allowable for at least the same reasons as claim 1.

Claims 2-8, 10-18, 29-43, 46-48 and 50 are dependent claims and are thus allowable for at least the same reasons as their respective base claims and further in view of the novel and non-obvious features recited therein. For example, claims 7, 15, 30, 38 and 39 relate to a second network including a DVB-T network. Contrary to the assertions of the Office Action, Birdwell does not teach or suggest a DVB-T network. While Birdwell describes a unidirectional broadcast network, there is no mention of DVB-T networks, specifically. The Examiner erroneously points to col. 3, ll. 23-31, ll. 40-43 and col. 4, ll. 25-34. None of those passages teach or suggest a DVB-T network. Accordingly, claims 7, 15, 30, 38 and 39 are allowable for this additional reason.

Additionally, claim 49 recites, *inter alia*, “receiving, via a unidirectional broadcast network, unsolicited information from a computer network, wherein the unsolicited information includes a first page of a network site and an identifier identifying one or more second pages of the network site...; [and] requesting, via a bi-directional network different from the unidirectional broadcast network, at least one of the identified one or more second pages.” As noted previously in Applicants’ Amendment dated May 16, 2008, nowhere does either Herz or Birdwell, either separately or in combination, teach or suggest such features. In particular, neither Herz nor Birdwell teach or suggest the unsolicited information including *a first page of a*

network site and an identifier identifying one or more second pages of the network site and requesting at least one of the one or more second pages of the network site. At best, Birdwell relates to tuning to broadcast transmissions and does not teach or suggest pages of a network site. Accordingly, claim 49 is allowable for these additional reasons. Claim 50 is dependent on claim 49 and is thus allowable for these additional reasons as well.

New Claim

Claim 51 has been added. No new matter has been added. Support for the claim may be found throughout the Applicants' originally filed Specification. Claim 51 is dependent on claim 49 and is thus allowable over the art of record for at least the same reasons as claim 49.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. Should the Examiner find that a telephonic or personal interview would expedite passage to issue of the present application, the Examiner is encouraged to contact the undersigned attorney at the telephone number indicated below. If any additional required fees are or if an overpayment has been made the Commissioner is authorized to charge or credit Deposit Account No. 19-0733. Applicants look forward to passage to issue of the present application at the earliest convenience of the Office.

Respectfully submitted,
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Date: November 25, 2008

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